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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/820,223 | 03/28/2001 | Terry L. McMahon | 6714.01 | 2165 |
| 25763 | 7590 | 08/22/2005 | EXAMINER | |
| DORSEY & WHITNEY LLP INTELLECTUAL PROPERTY DEPARTMENT 50 SOUTH SIXTH STREET MINNEAPOLIS, MN 55402-1498 | | | WOO, RICHARD SUKYOON | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 3639 | |

DATE MAILED: 08/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/820,223

Applicant(s)

MCMAHON ET AL.

Examiner

Richard Woo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

- 1) Applicant's amendments filed on April 27, 2005 have been acknowledged and entered.
- 2) Applicant's arguments, filed April 27, 2005, with respect to a rejection of Claims under 35 U.S.C. 101 have been fully considered and are persuasive. The rejection of Claims 1-17 has been withdrawn.
- 3) Applicant's arguments filed April 27, 2005, with respect to rejection of Claims under 35 U.S.C. 102, have been fully considered but they are not persuasive.

In response to the applicant's argument that Weisman does not teach or disclose a method of building a quote for an equipment that gives a user the flexibility of select one or more options with quoted prices displayed, and also displays user's updates of options and quoted prices after an interrelated option has been selected, the examiner respectfully traverses this. Figs. 1 and 9 of Weisman et al. shows a system and method that gives a user the flexibility of select one or more options with quoted prices displayed. Furthermore, Fig. 9 depicts the screenshot displaying user's updates of options and quoted prices after an interrelated option has been selected (i.e. Fig. 9 is a report that shows the client side showing the options selected for a component and quoted subtotal cost for the component).

In response to the applicant's argument that Figs. 13 I-IV shows a full order of the options and the order is not the report, the examiner respectfully traverse this. Fig. 12 shows an option menu for user to "save, print, clear (the order and restart), archive,

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pending" or to "send" the order to suppliers (these option buttons are located at the far left side of the screen). Before transmitting the order form to the suppliers, the users or customers can always go back to make a change to selected components, print the form or save. Accordingly, Weisman et al. discloses generating a report at the client side showing the options selected for a component and a quoted subtotal cost for the component (see Figs. 9 and 12).

Claim Rejections - 35 USC § 102

4) The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5) Claims 1-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Weisman et al. (US 2003/0014329).

As for Claim 1, Weisman et al. discloses a method comprising:

a) displaying one or more pre-engineered specifications for the equipment (see Figs. 1, 2-7);

- b) electronically soliciting from a user a selection of one pre-engineered specification (see Supra Figs., paragraphs [0031]-[0032]);
- c) soliciting from the user a selection of a manufacturer of a first component of the pre-engineered specification (see Figs. 5-12 and the descriptions thereof);
- d) displaying options and quoted prices for the first component and allowing the user to select one or more options for the same, the act of displaying options and quoted prices including updating the displayed options and quoted prices after an interrelated option has been selected (see Id.); and
- e) generating a report showing the options selected for the first component and a quoted subtotal cost for the component (see Figs. 9, 12, 13(I-IV)).

As for Claim 2, Weisman et al. further discloses the method including: repeating acts (c) through (e) for a second component (see Supra steps (c)-(e)).

As for Claim 3, Weisman et al. further discloses the method including: generating a report showing the components selected and the cost of the first component, the second component, and the total cost of the equipment (see Figs. 9, 12, 13(I-IV)).

As for Claim 4, Weisman et al. further discloses the method wherein displaying the pre-engineered specification includes displaying an approximate price for that pre-engineered specification (see Figs. 9-12 and 13(I-IV) and paragraphs [0044]-[0047]).

As for Claim 5, Weisman et al. further discloses the method, wherein displaying options and prices for the first component includes displaying those options that are available from the selected manufacturer (see Id.).

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As for Claim 6, Weisman et al. further discloses the method, wherein the quote is for a lease (Inherently, every vehicle must be leased or sold to customers).

As for Claim 7, Weisman et al. further discloses the method, wherein the quote is for a purchase (see Id.).

As for Claim 8, Weisman et al. discloses a method comprising:

electronically soliciting from a user a selection for a truck class (see Figs. 1, 2-7, see paragraphs [0031]-[0032]);

soliciting from the user a manufacturer of a pre-engineered chassis of the truck (see Figs. 5-12 and the descriptions thereof);

displaying chassis options and quoted prices for the chassis and allowing the user to select one or more chassis options, the act of displaying chassis options and quoted prices including updating the displayed chassis options and quoted prices after an interrelated chassis option has been selected (see Id.);

soliciting from the user a manufacturer of a pre-engineered body of the truck (see Supra Figs. 2-7);

displaying body options and quoted prices for the body and allowing the user to select one or more body options, the act of displaying body options and prices including updating the displayed body options and prices after an interrelated body option has been selected (see Figs. 2-7, 9, 11-12); and

generating a report showing the chassis options selected, the body options selected, and a total quoted cost for the truck (see Figs. 9, 12, 13(I-IV)).

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As for Claim 9, Weisman et al. further discloses the method, wherein the chassis options include one or more of the group consisting of wheel base options, engine options, and transmissions options (see Supra Figs. 2-7).

As for Claim 10, Weisman et al. further disclose the method, wherein the chassis options include one or more of the group consisting of fuel tank options and cab options (see Id.).

As for Claim 11, Weisman et al. further discloses the method, wherein the body options include van body size options (see Supra Figs. 2-7).

As for Claim 12, Weisman et al. further discloses the method, wherein the body options include one or more of the group consisting of roof options, cargo control options and interior liner options (see Id.).

As for Claim 13, Weisman et al. further discloses the method, comprising displaying chassis options and prices, including displaying a subtotal price for the chassis (see Figs. 2-7 and 9, 12, 13(I-IV)).

As for Claim 14, Weisman et al. further discloses the method, comprising displaying body options and prices, including displaying a subtotal price for the body (see Id.).

As for Claim 15, Weisman et al. discloses a method comprising:
electronically storing an at least one pre-engineered specification for a piece of equipment on a server (see Figs. 1-7);
allowing access to the stored specifications by a user (see Supra Figs. 2-7);

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electronically soliciting from the user a selection of one specification stored on the server (see *Id.*);

displaying to the user one or more options and a quoted price relating to the selected specification (see *Id.*);

receiving from the user one or more selected options and quoted prices (see *Supra* Figs. 2-7);

updating the one or more options after each of the one or more options is selected by the user (see Figs. 1, 13(I-IV); and

displaying to the user the price quote for the selected specification and the selected options (see *Id.*).

As for Claim 16, Weisman et al. further discloses the method comprising displaying specifications relating to one or more manufacturers of the piece of equipment (see Figs. 2-7, 9).

As for Claim 17, Weisman et al. further discloses the method comprising displaying a link to a server wherein information from the manufacturer may be accessed (see Figs. 2-7, 9, 13(I-IV)).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

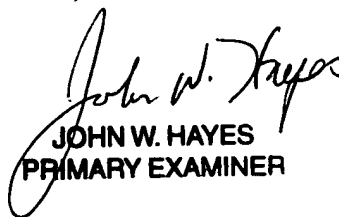
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard Woo whose telephone number is 571-272-6813. The examiner can normally be reached on Monday-Friday from 8:30 AM -5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on 571-272-6708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Richard Woo
Art Unit 3639
August 16, 2005



JOHN W. HAYES
PRIMARY EXAMINER